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**BEN HILL WILL GO  
ON FULTON  
BENCH  
AS FOURTH  
JUDGE**

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Roan Takes the Court  
of Ap-

Peals Vacancy; Reid,  
Stone  
Mountain; George  
Napier,

# Solicitorship.

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## *FOUR CHANGES MADE*

## *TO FILL ONE OFFICE*

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Appointments Effective  
Octo-

ber 6—Judge Roan Will  
Probably Hear Motion in  
Frank Case.

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The fourth judge of the Fulton county superior court is Benjamin H. Hill, chief judge of the court of appeals.

L. S. Roan, judge of the Stone Mountain circuit, will take Judge Hill's place as a member of the court of appeals.

Charles S. Reid, solicitor general of the Stone Mountain circuit, has been elevated to the bench to succeed Judge Roan.

George M. Napier, of the firm of Napier, Wright & Cox, succeeds Mr. Reid as solicitor general of the Stone Mountain circuit.

All these appointments announced by Governor Slaton Saturday are to go into effect on Monday, October 6, the day of the opening of the October term of the court of appeals, or as soon thereafter as is predictable, in order to allow Judge Hill to wind up his business as a member of that court.

### **Four Appointments Instead of One.**

It will be seen that the governor in filling the new judgeship in Fulton county created by the last legislature has made four appointments instead of one. The acceptance by Judge Hill of a position on the superior court bench and the elevation of Judge Roan to the court of appeals made it necessary to find a new man to fill the judgeship of the Stone Mountain circuit. This 'Governor Slaton' did by elevating to the bench Solicitor General Reid.

It was then necessary to fill Mr. Reid's place, and when this was done by the appointment of Mr. Napier, a lawyer to private life, with offices in Atlanta, the round of appointments ceased.

The public will, of course, be interested in knowing whether or not Judge Roan or another judge is to hear the motion for a new trial in the Frank case, which is set for October 4. In all probability he will. While October 6 has been fixed by the governor as the earliest date when the new appointments are to become effective. It is not unlikely that it will be several days later before they take effect, owing to the business of Judge Hill in the court of appeals. It is the intention of the governor to give him time to wind up that business and to write his opinions on the cases assigned to him.

### **Ross to Hear Frank Motion.**

So that, ever if there should be a continuance of the motion for a new trial in the Frank case, it will in all probability be up to Judge Roan to hear it. Besides, it is understood that if Judge Roan desires time to wind up his motion docket before going on the higher court, the governor will grant him a reasonable length of time in which to do so.

All of the men named are well known to the people of Georgia, and particularly so to the people of Atlanta. Judge L. S. Roan, the new judge of the court of appeals, was born in Henry county in 1849. He was given a common school education and received his legal training in the firm of Peeples & Griffith at Griffin, Ga. He was admitted to the bar in 1871.

### **Ten Years on Bench.**

He located in Fairburn, where he soon built up an active practice. Before his elevation to the bench to succeed Judge John S. Candler as judge of the Stone mountain circuit, which was on October 29, 1902, he had never held other public office than that of county solicitor and mayor of the town of Fairburn. He has been on the bench nearly eleven years.

Judge Roan's services on the bench since 1902 are too well known to need recalling here. His presiding in noted murder cases in Atlanta, such as the Grace case, the Appelbaum case, and then the Frank case has given him a reputation throughout the south.

### **New Fulton Judge.**

Judge B. H. Hill has been presiding judge of the court of appeals ever since that court was organized, January 1, 1906. He is a son of the famous statesman and United States senator, Benjamin H. Hill, and was born in LaGrange, the home of his distinguished father. At the time of his elevation to the court of appeals, he was a practicing lawyer in Atlanta, being in partnership with his brother, the late Solicitor-General Charles Hill.

That he should consent to take a place on the superior court bench, a lower court than that in which he has presided for more than seven years, is probably to be found in the fact that, while the Fulton county judgeship is really a lower office in rank than the one he now holds, it pays a higher salary. The salary of the Fulton county judgeship is \$5, 000 per year, while that of the court of appeals is only \$4, 000. This anomaly of having inferior judges paid higher salaries than the judges of the courts of review has often been called attention to by members of the bar, but the legislature has never seen fit to change it.

#### **Who Charles S. Reid Is.**

Charles S. Reid, who becomes judge of the Stone Mountain circuit as successor to Judge Roan, is also well known to the people of the state. He is about 50 years old and has practiced law in Fairburn, Ga., ever since he was admitted to the bar. He repre-

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**BEN HILL WILL**

**GO**

**ON FULTON**

**BENCH**

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*Continued from Page One.*

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# **APPOINTED TO NEW PLACES**

## **BY GOVERNOR JOHN SLATON**

JUDGE L. S. ROAN,  
Appointed on court of appeals.

GEORGE M. NAPIER,  
Solicitor Stone Mountain circuit.

sented Campbell county in the legislature for a number of terms, though all of them were not consecutive. In the general assembly of 1909-10 he was chosen chairman of the important committee of ways and means of the house. It was during his chairmanship that the general tax act was made a permanent statue instead of being enacted every two years as it had been up to that time.

C. S. REID,  
Judge Stone Mountain circuit.

## **New Fulton County Judge**

JUDGE BENJAMIN H. HILL.

Shortly after the expiration of his last term in the legislature, he was appointed by Governor Brown as solicitor general of the

Stone Mountain circuit, to succeed William Schley Howard, who had been elected to represent the fifth district in congress. Subsequently, he was elected solicitor by the people and has remained in that office ever since.

### **Napier an Eminent Mason.**

As grand master of the Masonic fraternity of Georgia for several terms. Georgia M. Napier, the new solicitor general of the Stone Mountain circuit, is probably as well known to the people of the state as any of the others. He was born in Walker county and began the practice of law at Monroe, Ga., where he practiced for a number of years. Later he moved to Decatur and opened a law office in Atlanta, becoming head of the firm of Napier, Wright & Cox. He also served for a time as judge advocate of the military forces of the state.

It is not unlikely that Judge R. B. Russell, who will now be senior member of the court of appeals, will be elected presiding judge by the court to succeed Judge Hill.

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## **PDF PAGE 19, COLUMN 3**

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### ***Plennie Minor Entertains Friends at Barbecue***

### **Photo by Francis E. Price, Staff Photographer.**

Front row, reading left to right: Jurors in Frank case: O. L. Wisby, M. Johenning, M. S. Woodward, W. M. Jeffries and F. V. L. Smith. Back row: Deputy Plennie Minor, and Jurors T. B. Higdon, Fred E. Winburn, C. J. Bosshardt and J. T. Osborn.

Dignity and decorum of the courtroom relaxed and scattered on the wind Saturday when Deputy Sheriff, Plennie Miner, entertained scores of his friends among the courthouse office,

lawyers and newspapers men at a barbecue and fish fry and, lest it be forgotten, "And So Forth," at Germania pars.

Judge L. S. Roan was there, but he was not the man with the austere countenance, relieved only by the kindly eye, whom court spectators see. He was not the man on the bench, but the man among his friends, and in his quiet way he was as congenial as the most effusive and hearty as any who attended.

The occasion proved a love-feast which will not soon be forgotten by some sixty or one hundred who were fortunate enough to attend, and good-fellowship abounded. All else was left behind.

### **Roan Praises Host.**

To tell of the barbecue and fried fish and drinkables that Plennie (for his other name has long ceased to be used) provided would be cruelty to those who did not attend. Judge Roan, in a brief speech, said that Plennie was the best deputy sheriff he had ever seen in his years of experience, and the same might be said of the barbecue Plennie provided for his friends. Of the fried fish, well there's hardly use to waste words in telling about the detectable eating they furnished. Anyone who has not tasted a fresh-caught fish, friend by Deputy Lon Burdette over an open fire, has missed something that not even the classiest restaurant in Atlanta could provide.

Eating was not the entire order of the day, and neither was speaking, for the occasion was, to use a slang expression, "long on eats and short on talk." When a crowd of men who know and like each other get together there is much talking, but all of it is not done from the stump, and that was the condition of Plennie's barbecue.

Congenial groups, ever changing, gathered here and there, and jokes and stories passed round while the crowd was waiting for the feast to be spread.

After the crowd had been thoroughly satisfied and begun to return to good

## **Photo by Francis E. Price, Staff Photographer.**

Judge L. S. Roan, seated. Left to right, standing: Solicitor General Hugh M. Dorsey, E. A. Stephens, his assistant, and Deputy Sheriff Plennie Minor, host at the barbecue, serving them.

cigars and quiet reflections, some one called on Judge Roan for a speech. Standing on a little bridge in the edge of the wood and with a small creek rippling beneath his feet, the judge told of his pleasure in being there and also expressed his own personal opinion of Plennie as deputy sheriff, as host and as friend. Somebody shouted for three cheers for Plennie as he finished, and they came with a roar.

### **Not Opposing Mangum.**

After the first speech, Plennie responded to the calls for him, and jumping to a rock in the middle of the creek, spoke his appreciation of his friend's many kind words.

"Gentlemen, I want to set one thing straight," he said before he closed, "and that is the report that I'm going to run for sheriff against 'Dad' Mangum. My friends haven't believed that, for they know I wouldn't try to defeat the man who placed me in my position and the man whom we all love. I am not going to run against 'Dad.'"

Solicitor Hugh Dorsey followed with appropriate words, and then the crowd called for Deputy J. W. Poindexter, the preacher-member of the sheriff's office.

In truly characteristic style he told things on Plennie that kept the merrymakers laughing from start to finish. He ended by saying that as it was against the law to sell beer to a minor, that

Plennie had given the barbecue, so he could get a glass for himself.

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## PDF PAGE 28, COUMN 1

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# JUST UNDERTAKERS

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*The why and the wherefore  
of them—  
How a man becomes one---  
Some  
Grawsome experiences of  
beginners*

**BY NED McINTOSH.**

"I wonder why he went into the undertaking business?"

Of course, you have asked yourself that questions time and time again. To be sure, somebody has got to be an undertaker, but just why would any man pick out that particular vocation as a life's work?"

There is not an undertaker in the city of Atlanta but will tell you that he likes his work. Whether in his boyhood dreams his fondest ambition was to sit up with corpses and drive a hearse is another question. That, at least, is the case of one.

Let us consider for a moment the jolly undertaker as he goes merrily about his business, and see just what lured him into the funeral directing game.

**LET'S FIND OUT**

**THE REASON WHY.**

There are six establishments in Atlanta, and surely from some of these we should find somewhere a reason.

Incidentally, all of them report that business is very dull just now.

I was down playing checkers with Pat Bloomfield, at his place on South Pryor street, the other day while he was waiting on somebody to die, and I asked him:

"How did you happen to go into the undertaking business?"

He jumped two men and went into kingdom before he answered.

"Well," he said, "that was a good while ago. "I just sort of loafed into the job, I guess."

"You see, I had a government job, and naturally had plenty of loafing time. I did most of my loafing around at Hilburn & Bowden's undertaking place, down there in the same building where Harry Poole used to be before he moved down here next to me.

## **WHEN HE ENTERED BUSINESS.**

"Sometimes, when I had nothing else in particular to do, I would answer calls with them, so I got pretty used to handling dead people before I ever really went into the business."

"I think the time I really got broken in was one night they had a call out to Fort McPherson. That was during the Spanish-American war, when the fort was used as a general hospital, and a good many of the wounded died there. The call came about midnight, and I was already undressed, so I wasn't much stuck on going along. But I agreed to go. I don't think I was waked good when we got out to the fort. Soon after our arrival, though, I woke fast enough."

"There was a little house out there based as a morgue. Bowden was busy about something, and I stepped in the morgue to see what sort of a job we had to do. I couldn't find a light

switch, so I struck a match. I saw the body lying in front of me, and was about to leave, when I glanced around and saw another, and another and another. Well, sir, when I had looked around a minute I found I was standing in the midst of an assemblage of seven corpses. I tried to

**"I HAD JUST STARTED TO MOVE HIM WHEN HE LOOKED AT ME!"**

tough it out, but my feet got the best of me and I came out of there good and quick. I met Mr. Bowden at the door, and he laughed at me."

"That's about the last time I ever felt anything out of the ordinary about a dead person, though."

"Soon after that I got to thinking that I might stick around at my government job the rest of my life without getting along any better, and besides a political job is a little uncertain, so I made up my mind to go into business for myself. Well, the undertaking business was about all I knew anything about."

## **MOST PEOPLE NOT AFRAID OF CORPSES.**

"I want to tell you, though, that this talk about most people being afraid of a corpse is all tommyrot. I never realized that so much as I did while the body of Mary Phagan was e. I believe that fully 8,000 people walked through the building and looked at that body!"

W. A. Gheesling, who is connected with Mr. Bloomfield, chimed in:

"Well, it's different here. I simply never had a chance. I was raised up in the business and became an undertaker almost before I knew it. I started out as an office boy for Mr. Barcley when I was 9 years old, and I have never been out of the undertaking business since."

Incidentally, Mr. Gheesling has handled many of the most famous cases in Georgia, and was for three years of his career the youngest embalmer in the United States.

"As long as I have been in the business, though, I don't believe that I was ever good scared but one time. That was a number of years ago."

"I got a call to a little street out in the edge of town about midnight on a suicide case. There were no lights on the street and I had considerable difficulty in locating the house."

"I finally found it, though. A poor devil had fought booze about as long as he could and had ended the fight with a bullet in his head."

"He was in a stuffy little room upstairs over a small grocery store. The only light in the room was a candle stuck in a beer bottle."

"The body was lying on an old bed, and was doubled up until the knees almost touched the chin. It was impossible for me to move it in that shape, so I undertook to straighten it out. It had already grown stiff."

## **THOUGHT MAN WAS ALIVE.**

"With the assistance of an officer who was there, I turned it over on its back and bore down on the knees. I found that the knees straightened out quite readily, but something happened that I had not figured on. The hip joints remained stiff and my pressure on the knees made the body rise up in a sitting posture, so that when I turned around that dead man—with his eyes bulging out—was sitting up staring me in the face. Believe me, I wanted to run that time!"

In the case of Mr. Brandon, of the Barclay & Brandon company, the veteran undertakers of Atlanta, we find a man who

gave up the business of decorating live people for that of decorating dead ones.

"The primary reason, though," says Mr. Brandon, "why I went into the undertaking business was for my health. I was out of bread and meat, which, I am told on good authority, is an extremely unhealthful condition."

"I was working in a jewelry store in Dalton for half the profits. At the end of the year the man for whom I was working owed me some \$600 or so and was unable to make a settlement. I saw that wouldn't do and I'd have to get another job."

"It so happened that the jewelry establishment was in part of a furniture store, so I went to the proprietor of the furniture store and asked him for work, which he gave me."

## **ONLY THREE UNDERTAKERS**

### **IN ATLANTA THEN.**

"And again it so happened that the stock and trade of the furniture store was in part coffins and the undertaking business. It sort of fell to me to look out for the undertaking end, and in that way I learned the business."

"In 1893, I believe it was, I came to Atlanta and bought out Captain Dave Wiley, of the firm of Wiley & Brandon. There weren't but three undertakers in the town then."

"I remember when I went into business here I bought the finest hearse in town, a black concern it was, with five turns on top of it. The memory of it seems rather quaint now, when I look at that new automobile hearse I bought the other day!"

"Exciting?"

"Oh, yes, at times. I had the experience once of being called upon to embalm a live man. Of course, it would not do to mention names, but one day I had a call to take charge of a body that wasn't as dead as it looked."

"When I arrived at the house I was shown into the room where the body lay. To all appearances the man was dead, and I did not pay any particular attention to him. I had just started to move him when he opened his eyes. It was rather weird and funny, too, of course, but his relatives were so overjoyed to find him still alive that no one thought of that side of it at the time."

"They have told the tale on me that he laughed at me when he come to, but he didn't."

## **FROM CURING SICK TO BURYING DEAD.**

S. R. Greenberg, of Greenberg & Bond, went form the business of curing the sick to burying the dead. That

**"MY FEET GOT THE BEST OF ME AND I CAME OUT OF THERE GOOD AND QUICK!"**

is not to say, however, that his observation in the former vocation offered him "a word to the wise" so to speak.

Mr. Greenberg, reclining at Oriental ease among coffins and fixtures, spoke thusly:

"I was in the drug business in my younger days, but had very good friends connected with C. H. Swift in the undertaking business. Often they had tried to prevail upon me to become associated with them, but I was more or less shy upon the subject. In 1908, though, I finally agreed to go."

"After becoming accustomed to it, I find that I like the work. It does not keep a man tied down to his office and gives him plenty of resting time."

## **BUSINESS**

### **"LOOKS PRETTY SOFT."**

Harry G. Poole, who has just moved into his new building on South Pryor, makes no bones about the fact that he went into the

undertaking business, because it "looked pretty soft." Neither does Mr. Poole hesitate to say that it "was not so soft as it looked."

"It was this way," says he. "I was raised out here in the woods about six miles from Atlanta and used to come to town every once and awhile with a load of cotton and wood, and nearly every time I came, I would see a funeral procession going along. I was an unsophisticated country boy and it looked to me like the undertaker didn't have a thing in the world to do but ride to the cemetery and back on top a fine-looking hearse."

"I used to picture myself riding on top that hearse and figure what a fine time an undertaker must have."

"About the next thing I did was to pack up my duds and come to Atlanta to get a job as an undertaker."

"Needless to say, I had my eyes opened considerably. But at that, I have learned to like the work. I have made hundreds of friends in Atlanta and good friends, too, and it is a source of considerable gratification to me to know that I have been able to be of service to them."

## **ROY DONEHOO OFFERS SOLUTION.**

A solution to the question of the unanimous love of undertakers for their apparently grawsome work may be found in the following from Roy Donehoo:

"The horror with which the public at large usually looks upon the business of undertaking and funeral directing was never a part of my makeup—on the contrary, the work always possessed a kind of fascination for me; not that I was morbidly fond of standing in the presence of death, but because I was able to see those phases of the work which relieved it of its grawsome elements, and then rendered it a work of service and mercy to those who were bereaved and sorrowing."

"Just how I happened to go into the business is difficult to say; but I recall that when a mere child, possibly not more than 7 years old, occasion required the presence of an undertaker in my own home. The whole atmosphere around the place before his coming was that of awe and expectancy. When he came, he was ushered immediately into the death

**"HE WAS SITTING UP STARING ME IN THE FACE!"**

chamber, and the room was cleared of all except one or two, who were invited to assist in the preparation of the remains. I was one of those who were excluded, and the air of mystery about the whole situation—the awe which seemed to envelope the undertaker—attracted and fascinated me.

"Then, too, when a mere child, the beauty of a hearse, which I still consider one of the masterpieces of art, appealed to me; and I used to gaze upon the man who sat beside the driver with admiration and longing and wonder if I could ever occupy so enviable a position."

"Later, when I grew into maturity, one of the most fascinating tasks of which I could conceive was that of beautifying a corpse, and putting into condition so that those who had loved the person in life might think of him, not as one cold and deathlike, but as one who, though dead, still retained a beloved, life-like appearance."

"And the possibility, too, of handling a situation in such a manner as to less the grief of those who were left, made the work appeal to me as very beautiful."

"For these reasons, when only 18 years old, I left a position which was paying me a much better salary, to become an apprentice in an undertaking office; and since that time my choice has been fixed."

